

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The Final Office Action of October 1, 2004 has been received and contents carefully reviewed.

By this amendment, Applicant amends claims 1, 12, 17, and 31. Claims 1, 4–10, 12–18, and 21–36 are pending. Reconsideration of the application is respectfully requested.

In the Office Action, the Examiner rejects claims 1, 4–10, 12–18, and 21–36 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0022952 by Zager et al. (hereinafter “Zager”).

Applicant respectfully traverses the rejection of independent claim 1 and requests reconsideration. Claim 1, as amended, is allowable over Zager in that it recites “performing adaptive feedback control of the infrastructure component, based on the states.” Nothing in Zager teaches or suggests at least this feature of the claimed invention. Applicant notes the Examiner’s response regarding the “non” condition, and hereby amends the claim. Accordingly, Applicant respectfully submits that independent claim 1, and claims 4–10 and 29, which depend from independent claim 1, are allowable over Zager.

Applicant respectfully traverses the rejection of independent claim 12 and requests reconsideration. Independent claim 12, as amended, is allowable over Zager in that it recites “performing adaptive feedback control of said infrastructure component.” Nothing in Zager teaches or suggests at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that independent claim 12, and claims 13–16, which depend from claim 12, are allowable over Zager.

Applicant respectfully traverses the rejection of independent claim 17 and requests reconsideration. Claim 17, as amended, is allowable over Zager in that it recites “implementing an adaptive feedback control of the infrastructure component, based on said states.” Nothing in Zager teaches or suggests at least this feature of the claimed invention. Applicant notes the Examiner’s response regarding the “non” condition, and hereby amends the claim. Accordingly,

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Applicant respectfully submits that independent claim 17, and claims 18, 21–28, and 30, which depend from claim 17, are allowable over Zager.

Applicant respectfully traverses the rejection of independent claim 31 and requests reconsideration. Independent claim 31, as amended, is allowable over Zager in that it recites “performing adaptive feedback control of said infrastructure component.” Nothing in Zager teaches or suggests at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that independent claim 31, and claims 32–36, which depend from claim 31, are allowable over the Zager.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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